

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION**

**UNITED STATES OF AMERICA,**

Plaintiff,

v.

**Case No. 24-03019-01/03-CR-S-BCW**

**DONTRELL ANTHONY POWELL**

and

**DRESHAWN POWELL,**

Defendants.

**UNOPPOSED MOTION TO CONTINUE EVIDENTIARY HEARING ON  
DEFENDANTS' MOTIONS TO SUPPRESS EVIDENCE**

The United States of America, by and through its undersigned counsel, respectfully seeks a continuance of the evidentiary hearing set by this Court on the defendants, Dontrell Anthony Powell and Dreshawn Powell's, Motions to Suppress Evidence. Neither defendant objects to this request for a continuance. In support, counsel for the Government offers the following suggestions:

1. On December 2, 2024, this Court set an evidentiary hearing on the defendants' motions to suppress evidence. That hearing is currently scheduled for December 18, 2024.
2. Upon receiving notice of the hearing, undersigned counsel immediately communicated with Oklahoma Highway Patrol Trooper Jake Sawatzky, an essential witness, who indicated he is under subpoena for a jury trial in Craig County, Oklahoma, beginning the week of December 16, 2024. Upon further consultation with Trooper Sawatzky, it appears likely that his testimony will be required in Oklahoma on either December 17, 2024, or December 18, 2024.
3. Undersigned counsel communicated with defense counsel for both defendants regarding Trooper Sawatzky's unavailability and determined that all parties are amenable to a

continuance in this matter. In discussing potential dates to propose to the Court for consideration, counsel for Dreshawn Powell indicated she is unavailable December 19, 2024, and December 20, 2024.<sup>1</sup> Counsel for Dreshawn Powell's preference would be any date on or after January 21, 2025. Counsel for Dontrell Anthony Powell indicated he had no objection to continuing the hearing to on or after January 21, 2025.

4. Pursuant to a *Motion to Continue Trial* filed by a co-defendant in this case, which was granted by this Court, this matter is currently set on the June 2, 2025, joint criminal trial docket. (D.E. 347.) Pursuant to the Court's Order, "the additional period of delay in commencing trial caused by this continuance shall be excluded in computing the time within which this trial shall commence under the Speedy Trial Act." (D.E. 347.) As a result, this request for a brief continuance of the evidentiary hearing on the defendants' motions to suppress evidence will not impact the defendants' rights under the Speedy Trial Act. *See also* 18 U.S.C. § 3161(h)(1)(D) ("delay resulting from any pretrial motion, from the filing of the motion through the conclusion of the hearing on, or other prompt disposition of, such motion" shall be excluded "in computing the time within which the trial of any such offense must commence.").

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<sup>1</sup> Undersigned counsel is also unavailable December 19, 2024, as she is currently scheduled for a suppression hearing in *United States v. Dejuan T. Parker*, 24-03065-01-CR-S-SRB on that date. In addition, undersigned counsel will be out of the office acting as the sole caretaker for a family member December 20, 2024, through January 3, 2025, and Trooper Sawatzky has advised that he will be out of state on non-refundable personal travel December 20, 2024, through December 26, 2024.

WHEREFORE, the United States respectfully requests that this motion for continuance be granted, and the evidentiary hearing on the defendants' motions to suppress evidence be reset at the Court's convenience.

Respectfully submitted,

Teresa A. Moore  
United States Attorney

By /s/ Jessica R. Eatmon  
Jessica R. Eatmon  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing was delivered on December 9, 2024, to the CM-ECF system of the United States District Court for the Western District of Missouri for electronic delivery to all counsel of record.

/s/ Jessica R. Eatmon  
Jessica R. Eatmon  
Assistant United States Attorney